

Attorney or Party without Attorney: MARCELLA BALLARD BAKER & MCKENZIE LLP 1114 AVENUE OF THE AMERICAS NEW YORK, NY 10036 Telephone No: 212-626-4100		For Court Use Only	
Attorney for: Plaintiff		Ref. No. or File No.: 56209771.000005	
Insert name of Court, and Judicial District and Branch Court: U. S. DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK			
Plaintiff: NATIONAL TOBACCO COMPANY, LP			
Defendant: TIMOTHY PARKER, et al.			
AFFIDAVIT OF SERVICE SUMMONS & COMPLAINT		Hearing Date:	Time:
		Dept/Div:	Case Number: 08 CV 03383

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL CASE AMENDED COMPLAINT FOR DECARATORY JUDGMNET, INJUNCTIVE RELIEF SOUGHT; CIVIL COVER SHEET; CORRECTED RULE 7.1 STATEMENT; INDIVIDUAL RULES AND PROCEDURES; INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE THEODORE H. KATZ; 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL; GUIDELINES FOR ELECTRONIC CASE FILING.

3. a. Party served: SOLOMON DAVID

4. Address where the party was served: 3026 LINDEN STREET
EMERYVILLE, CA 94608

5. I served the party:

a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Mon., Apr. 21, 2008 (2) at: 6:32PM

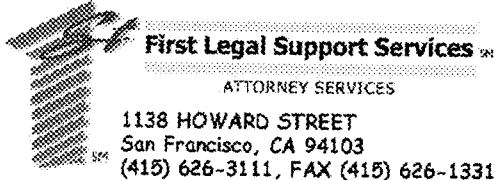
6. The "Notice to the Person Served" (on the Summons) was completed as follows:

a. as an individual defendant

7. Person Who Served Papers:

Fee for Service:

a. AARON DANIEL



8. I declare under penalty of perjury under the laws of the State of New York and under the laws of the United States Of A America that the foregoing is true and correct.

AFFIDAVIT OF SERVICE
SUMMONS & COMPLAINT

(AARON DANIEL) 6414357.bakmc-ny.129199